

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EMMANUEL TORRES

Plaintiff

-against-

WAKEFIELD & ASSOCIATED
RURAL-METRO AMBULANCE CORP

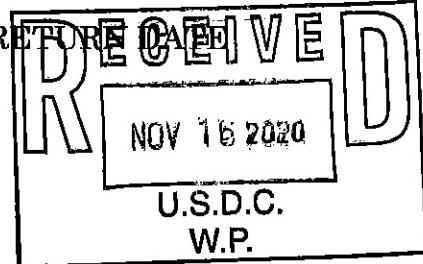
Defendant

-----X

Case No 20-CV-9343

BEFORE THE HONORABLE
MARY KAY VYSKOCIL

NO RETURN DATE



NOTICE OF MOTION

Comes now Plaintiff Emmanuel Torres and files this motion for an order granting summary remand back to the City of New York Civil Court Bronx County.

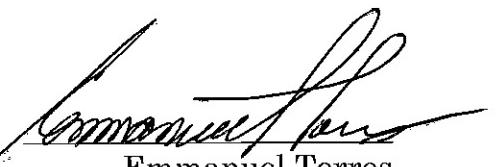
Plaintiff respectfully request this court to review the attachments and the assertion of jurisdiction argued by defendants in their removal notice.

The instant summons and complaint sought to be removed by defendants to the District Court. Was an action filed under New York Law, see page 2 under sub heading labelled jurisdiction and venue. "plaintiff asserted the Civil Court of the City of New York County of Bronx, has jurisdiction pursuant to the New York State Fair Debt Collection Practices Act, Section 601 and General Business Law Section 349. All of the causes of action: (1) false and misleading statements, (2) derogatory credit injury and (3) failure to provide validation of a debt.

All causes of action are causes under New York law and Plaintiff has not articulated any federal claims or causes of action. As opposed to the intentional mischaracterizations asserted by Defendants counsel in their removal notice.

WHEREFORE plaintiff respectfully request the court to remand this matter back to its proper forum.

Dated November 12, 2020



Emmanuel Torres
120 Alcott Place Apt 28E
Bronx New York 10475
646-529 8531

Aaron R. Easley
Sessions, Israel & Shartle, LLC
3 Cross Creek Drive
Flemington, NJ 08822

Syntha Bayham
Wakefield & Associates
10800 E Bethany Drive, Suite 450
Aurora, Colorado 80014